



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**REGION IX**  
75 Hawthorne Street  
San Francisco, CA 94105

**Notice of Federal Response Action**

Issued to: Bill Mitzel, CEO  
Santa Clara Waste Water Company  
2775 N. Ventura Road  
Suite 209, Oxnard CA 93036

Date: December 5, 2014

Location: Santa Clara Waste Water Treatment  
815 Mission Rock Road  
Santa Paula, CA 93060

The U.S. Environmental Protection Agency (EPA) has been informed of a release or threatened release of hazardous substances, pollutants or contaminants into the environment at and from the Santa Clara Waste Water Treatment facility located at 815 Mission Rock Road, Santa Paula, CA (the site).

Under the authority of the National Contingency Plan (NCP), 40 CFR Part 300, and the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, 42 U.S.C. Section 9601, et seq., EPA evaluates whether responsible parties or other agencies are properly responding to such releases.

This site is within the jurisdiction of EPA and the EPA On-Scene Coordinator (OSC) is charged with coordinating, directing, and reviewing the work of responders to insure compliance with the NCP. The OSC for this site is Martin Powell.

Responsible parties generally include the current or former operator and/or owner of the site and persons who generated or were involved in the transportation, management, or disposal of the materials at the site. Before EPA initiates a response, potentially responsible parties, where practicable, are offered the opportunity to conduct the response. If the responsible party decides to perform the work, EPA may enter into an administrative agreement with the party which memorializes that commitment. If the responsible party is unwilling to perform the response, EPA may issue an order which requires the party to perform the work or EPA may perform the work. If public funds are expended for a response action, responsible parties may be held liable for all government costs, including the cost of overseeing work performed by responsible parties.

This notice is to inform you that EPA has determined that a response action is necessary at the site and to give you the opportunity to conduct the response. Your intention to do so, or your unwillingness to do so, should be immediately conveyed to the OSC. Correspondence should be directed to the OSC at the following address or at [powell.martin@epa.gov](mailto:powell.martin@epa.gov).

Martin Powell  
US Environmental Protection Agency Region IX  
2445 Palm Dr., Ste 100  
Signal Hill, CA 90755

If the OSC determines that the response to the release or threatened release is not being properly conducted, EPA may initiate the required response action. At this time, the following actions are considered necessary for a proper response, within the specified time frame:

- Notify EPA OSC Martin Powell via email at [powell.martin@epa.gov](mailto:powell.martin@epa.gov) of your intent to conduct the removal action (see below).
- Provide the name of the Santa Clara Waste Water Treatment Project Manager who will oversee the response. This person must be capable of making all decisions related to the cleanup without upper management approval.
- Provide the name of any contractors that will conduct the work prior to the commencement of cleanup operations. All cleanup contractors must be in compliance with Title 29 Code of Federal Regulation Part 1910.120: Hazardous Waste Operations and Emergency Response (HAZWOPER).
- Maintain site security and prevent access of the site by unauthorized persons including vagrants and vandals. This may require the use of a 24-hour security service.
- Assess the extent of contamination caused by release(s) of hazardous substances onsite.
- Cleanup all releases within the site and prevent future releases.
- Inventory contents of all containers onsite; specifically tanks, vessels, totes, drums, sumps, pits, etc. by labeling, mapping, sampling and analysis, and estimation of volume.
- Provide a sampling plan(s) prior to all sampling activities.
- Provide proof of compliance with HAZWOPER for all employees of Santa Clara Waste Water Company, its subsidiaries (parent and sibling entities), contractors and subcontractors prior to their work onsite. This proof must include the following:
  - Required Plans:
    - Written Safety and Health Program, 29 CFR 1910.120(b)(1)(i);
    - Site Specific Health and Safety Plan, 29 CFR 1910.120(b)(4);
    - Written Personal Protective Equipment Program, 29 CFR 1910.120(g)(5);
    - Emergency Response Plan, 29 CFR 1910.120(l)(1)(i); and
    - Written Respiratory Protection Program, 29 CFR 1910.134(c).
  - Required Certifications:
    - Training Certifications, 29 CFR 1910.120(e)(6);
    - Proof of Medical Surveillance, 29 CFR 1910.120(f)(7)(D);
    - Proof of Ability to Wear a Respirator, 29 CFR 1910.134(e)(6); and
    - Proof of FIT Testing, 29 CFR 1910.134(f).
  - Permit Required Confined Space Only:
    - Permit Required Confined Space Program, 29 CFR 1910.142(b);
    - Permit System, 29 CFR 1910.142(b); and
    - Confined Space Entry Permit.

*[Note: If corporate or contractor employees do not speak English, the above documents must also be provided in their native language include proof that they were trained in their native language. Please note that any violation of the Permit Required Confined Space regulations during cleanup operations will result in the immediate takeover of all site operations by EPA and its contractors.]*

- Contain, collect, characterize, and properly dispose of all hazardous substances, including liquid runoff from the site.
- Decontaminate surfaces of structures, vessels, tanks impacted by the release.
- All hazardous wastes must be properly manifested to a CERCLA Off-site Rule approved facility. Provide advance notification to OSC Powell (approx. 48 hr) of any shipments of hazardous materials or hazardous wastes off-site.
- Conduct a soils investigation to determine potential contamination extent.
- EPA review and approval of Work plans and Health and Safety Plans (including evidence of Corporate Health and Safety Program Plans) are necessary for all future work phases.

If you have any questions regarding legal authorities, rights, or sanctions under the law, contact the Emergency Response Attorney Advisor Rebekah Reynolds in the Office of Regional Counsel, at 415-972-3916. If you have any technical or operational questions, contact the OSC, at the telephone number listed below. During non-business hours, you may also contact the EPA Duty Officer, at 415-300-2193.

On-Scene Coordinator:      Martin Powell  
   (562) 760-7028  
   powell.martin@epa.gov

Acknowledgment of Receipt

Received by: 

Date: 12/7/2014